REMARKS

In an office action dated 24 May 2004, the Examiner rejects claims 1-83 (all pending claims). In response to the office action, Applicants amend claims 1, 17, and 68. Applicants also respectfully traverse the rejections.

The Examiner rejects claim 1-83 under 35 U.S.C. § 102 (b) as being anticipated by Heuristic Physics Laboratories, Inc. software development tools (YIELDXploer, WorkflowView, etc.) To anticipate a claim under 35 U.S.C. § 102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988). Moreover, the single source must disclose all of the claimed elements "arranged as in the claim." *Structural Rubber Prods. Co. v. Park Rubber Co.*, 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984). The test for anticipation is symmetrical to the test for infringement and has been stated as: "That which would literally infringe [a claim] if later in time anticipates if earlier than the date of invention." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); *Connell v. Sears Roebuck & Co.*, 722 F.2d 1542, 1548, 220 U.S.P.Q. 1931, 1938 (Fed. Cir. 1983). Missing elements may not be supplied by the knowledge of one skilled in the art or the disclosure of another reference. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 780, 227 U.S.P.Q. 773, 777 (Fed. Cir. 1985). The Examiner has failed to provide a single reference that teaches all of the elements to claims 1-83 instead the examiner has cited at least two references with no specified number of references as etc. is ambiguous to exactly what the Examiner is using to reject the claims.

Applicants request a separate rejection based upon a reference for each of the claims if the Examiner wishes to maintain a rejection based upon each reference. Furthermore, if the Examiner is stating a combination of the references teaches the claims a rejection under 35 U.S.C. §102(b) is inappropriate and must be removed. Thus, applicants request that a new office action be issued which includes a proper rejection and the Applicants be given a chance to respond to the proper rejections.

For purposes of this response, Applicants are assuming only that the reference cited against a specific claim is used to reject the claim under 35 U.S.C. §102(b) as the rejection is ambiguous. However, Applicants still maintain the rejections are improper as further evidenced by the fact that the Examiner states that "HPL discloses at least."

Amended claim 1 recites a limitation of a means for displaying a plurality of objects on said computer screen individually selectable to be placed and coupled together in said workspace to define a workflow for a user interactive program, wherein at least one of said plurality of objects has at least one interactively alterable operation parameter during execution of said user interactive program and wherein said interactively alterable operation parameter provides a parameter for data extraction for use in said user interactive program. Workflow does not teach this limitation. Workflow merely teaches a software application that provides a display of a workflow. Workflow fails to teach alterable operation parameters for controlling the data extracted for execution. Workflow merely shows retrieving objects and method for displaying the objects. There is nothing in the workflow diagram showing the changing of parameters at run time. Thus, Applicants respectfully request the rejection of claim 1 be removed and claim 1 be allowed.

Claims 2-16 are dependent from amended claim 1. Thus, claims 2-16 are allowable for at least the same reasons as amended claim 1. Therefore, applicants respectfully request that the rejections to claims 2-16 be removed and claims 2-16 be allowed.

Amended Claim 17 recites the method performed by the software of amended claim 1. Thus claim 17 is allowable for at least the same reasons as amended claim 1. Therefore, applicants respectfully request that the rejection of claim 17 be removed and amended claim 17 be allowed.

Claims 18-19 are dependent from amended claim 17. Thus, claims 18-19 are allowable for at least the same reasons as amended claim 17. Therefore, applicants respectfully request that the rejections to claims 18-19 be removed and claims 18-19 be allowed.

Claim 20 is rejected for the same reasons as claim 1. However, claim 20 has a means for displaying that is different from the means for displaying recited in amended claim 1. Specifically, claim 20 recites an interactively alterable switch function instead of the interactively alterable operation parameter. Thus, the rejection of claim 20 makes no sense and must be removed. Thus, applicants respectfully request that claim 20 be allowed.

Claims 21-33 are dependent upon claim 20. Thus, claims 21-33 are allowable for the same reason as claim 20. Therefore, Applicants respectfully request that the rejections of claims 21-33 be removed and that claims 21-33 be allowed.

The Examiner rejects claim 34 stating that claim 34 incorporates all of the elements of claim 1. This is an incorrect statement as claim 1 recites an interactively alterable operation parameter. Claim 34 does not claim the operation parameter instead claim 34 recites a switch function. Furthermore, the Examiner adds a second reference, Switch Engine User Manual, to the Workflow User Manual to reject the claim. In order to be valid, a §102 rejection must have a single reference that teaches all of the elements. Thus, the Examiner has provided an invalid rejection. Therefore, Applicants respectfully request that the rejection be removed and that the claim 34 be allowed. Alternatively, if the Examiner provides a valid rejection Applicants expect an opportunity to respond to the valid rejection.

The Examiner states that claim 35 recites the same software tool as claim 20. However, claim 20 recites an interactively alterable switch function. Claim 35 does not recite this limitation and instead recites the branch processing. Thus, the rejection of claim 20 does not apply to claim 35. Furthermore, the Examiner adds a second reference, Conditional Execution Engine User Manual, to the Workflow User Manual to reject the claim. In order to be valid, a §102 rejection must have a single reference that teaches all of the elements. Thus, the Examiner has provided an invalid rejection. Therefore, Applicants respectfully request that the rejection be removed and that the claim 34 be allowed. Alternatively, if the Examiner provides a valid rejection Applicants expect an opportunity to respond to the valid rejection.

Claims 36-48 are dependent upon claim 35. Thus, the rejections of claims 36-48 are invalid for the same reasons as claim 35. Therefore, Applicants respectfully request that the rejections of claims 36-48 be removed and claims 36-48 be allowed. Alternatively, if the Examiner provides proper rejections, Applicants expect an opportunity to respond.

The Examiner states that claim 49 recites the same software tool as claim 20. However, claim 20 recites an interactively alterable switch function. Claim 49 does not recite this limitation and instead recites the branch processing. Thus, the rejection of claim 20 does not apply to claim 49. Furthermore, the Examiner adds a second reference, Conditional Execution Engine User Manual, to the Workflow User Manual to reject the claim. In order to be valid, a §102 rejection must have a single reference that teaches all of the elements. Thus, the Examiner has provided an invalid rejection. Therefore, Applicants respectfully request that the rejection be removed and that the claim 49 be

allowed. Alternatively, if the Examiner provides a valid rejection Applicants expect an opportunity to respond to the valid rejection.

The Examiner states that claim 50 recites the same software tool as claim 20. However, claim 20 recites an interactively alterable switch function. Claim 50 does not recite this limitation and instead recites assigning a name to a selected input port. Thus, the rejection of claim 20 does not apply to claim 50. Since the Examiner has not provided a rejection showing all of the elements of claim 50, the rejection is invalid. Therefore, Applicants respectfully request that the rejection be removed and that the claim 50 be allowed. Alternatively, if the Examiner provides a valid rejection Applicants expect an opportunity to respond to the valid rejection.

Claims 51-65 are dependent upon claim 50. Thus, the rejections of claim 51-65 are invalid for the same reasons as claim 50. Therefore, Applicants respectfully request that the rejections of claims 51-65 be removed and claims 51-65 be allowed. Alternatively, if the Examiner provides proper rejections, Applicants expect an opportunity to respond.

The Examiner states that claim 66 recites the same software tool as claim 20. However, claim 20 recites an interactively alterable switch function. Claim 66 does not recite this limitation and instead recites assigning a name to a selected input port. Thus, the rejection of claim 20 does not apply to claim 66. Since the Examiner has not provided a rejection showing all of the elements of claim 66, the rejection is invalid. Therefore, Applicants respectfully request that the rejection be removed and that the claim 66 be allowed. Alternatively, if the Examiner provides a valid rejection Applicants expect an opportunity to respond to the valid rejection.
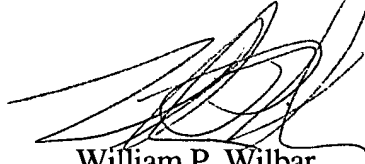
The Examiner rejects claim 67 stating that claim 67 incorporates all of the elements of claim 1. This is an incorrect statement as claim 1 recites an interactively alterable operation parameter. Claim 67 does not claim the operation parameter instead claim 67 recites at least one of a plurality of objects that requests a user input. Thus, the rejection of claim 1 does not apply to claim 67. Furthermore, the Examiner adds a second reference, the Conditional Execution Engine User Manual, to the Workflow User Manual to reject the claim. In order to be valid, a §102 rejection must have a single reference that teaches all of the elements. Thus, the Examiner has provided an invalid rejection. Therefore, Applicants respectfully request that the rejection be removed and that the claim 67 be allowed. Alternatively, if the Examiner provides a valid rejection Applicants expect an opportunity to respond to the valid rejection.

Claims 68-81 are dependent upon claim 67. Thus, the rejections of claims 68-81 are invalid for the same reasons as claim 67. Therefore, Applicants respectfully request that the rejections of claims 68-81 be removed and claims 68-81 be allowed. Alternatively, if the Examiner provides proper rejections, Applicants expect an opportunity to respond.

The Examiner rejects claim 83 stating that claim 83 incorporates all of the elements of claim 1. This is an incorrect statement as claim 1 recites an interactively alterable operation parameter. Claim 83 does not claim the operation parameter instead claim 83 recites at least one of a plurality of objects that requests a user input. Thus, the rejection of claim 1 does not apply to claim 83. Furthermore, the Examiner adds a second reference, the Conditional Execution Engine User Manual, to the Workflow User Manual to reject the claim. In order to be valid, a §102 rejection must have a single reference that teaches all of the elements. Thus, the Examiner has provided an invalid rejection. Therefore, Applicants respectfully request that the rejection be removed and that the claim 67 be allowed. Alternatively, if the Examiner provides a valid rejection Applicants expect an opportunity to respond to the valid rejection.

If the Examiner has any questions regarding this response or the application in general, the examiner is invited to telephone the undersigned at 775-586-9500.

Respectfully submitted,
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